

# Memorandum



**Date:** March 3, 2015

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

Agenda Item No. 8(H)(2)

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Retroactive Change Order No. One and Final for Arcola Lakes Park - Senior Center and Pool - Project No: 311106-05-003 GOB ESP; Contract No: 311106-05-003 GOB ESP, to Carivon Construction Company.

## RECOMMENDATION

The attached Retroactive Change Order No: 1 and Final to a contract between **Carivon Construction Company** and Miami-Dade County has been prepared by the Parks, Recreation and Open Spaces Department (PROS) and is recommended for approval.

**CHANGE ORDER NUMBER:** One (1) and Final

## SCOPE

**PROJECT NAME:** Arcola Lakes Park - Senior Center and Pool

**PROJECT NO:** 311106-05-003 GOB ESP

**CONTRACT NO:** 311106-05-003 GOB ESP

**PROJECT DESCRIPTION:** The awarded scope consists of the construction of a one-story Senior Center Building which includes: lobby/reception area, banquet/meeting room, event services & delivery room, entertainment room, arts & crafts room, ceramics room, exercise room, restrooms, locker rooms, staff offices, equipment room, and storage. The project also includes outdoor therapeutic aquatic pool, heated whirl pool, pool deck space, pedestrian circulation, covered car drop-off area, parking lot and landscaping.

**PROJECT LOCATION:** 8401 NW 14th Avenue, Miami, Florida 33147

**PRIMARY COMMISSION DISTRICT:** District 2 Jean Monestime

**APPROVAL PATH:** Board of County Commissioners

**USING DEPARTMENT:** Parks, Recreation, and Open Spaces Department

**MANAGING DEPARTMENT:** Parks, Recreation, and Open Spaces Department

FISCAL IMPACT / FUNDING SOURCE:	SOURCE	PROJECT NUM	SITE #	AMOUNT
	BBC GOB Interest	938870	#70158	\$222,250.00
	BBC GOB Series 2011A	938870	#70158	\$700,424.38
	BBC GOB Series 2013A	938870	#70158	\$2,927,427.58
			Total Funding:	\$3,850,101.96

**CHANGE ORDER FUNDING SOURCE:** Building Better Communities General Obligation Bond Program (GOB)

**PTP FUNDING:** No

**GOB FUNDING:** Yes

**ARRA FUNDING:** No

**CHANGE ORDER  
DESCRIPTION:**

Increase the contract amount by \$61,132.33 from \$3,788,969.63 to \$3,850,101.96; and increase the contract duration by two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23<sup>rd</sup>, 2014.

**MONETARY  
JUSTIFICATION:**

The Department recommends an increase of \$61,132.33 to the contract amount as follows:

- a. Request for Contract Change Order (RCO) No. 13R consisted of the installation of a customized Sail Shade Structure System including (6) columns (due to the sandy nature of the soils additional foundation work was necessary) and (4) canopies to provide a shade over the pool deck's entire surface area. The materials were provided by the County, and the installation was done by the Contractor. The installation cost for this system, including the concrete foundations was negotiated at \$61,132.33.

The \$61,132.33 increase to the contract represents a 1.6 % increase to the original contract amount. The Department has reviewed the scope and associated quantities for the additional work and confirms that the amounts being charged are both within the range of industry as reasonable and within the allowable mark-up stated in the contract.

**TIME  
JUSTIFICATION:**

The Department recommends a retroactive non-compensable time extension of two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23<sup>rd</sup>, 2014. This time extension (which represents a 79.2% increase) is classified as "concurrent delays" (combination of Contractor and Department caused delays occurring at the same time), and is further broken down as follows:

- The first thirty-seven (37) calendar days are utilized from the available time contingency.
- The remaining two-hundred and eighty-nine (289) calendar days of time extension impacting the construction schedule for the design; engineering; soils analysis; permitting; procurement; construction of the Sail Shade Structure System that included foundation work; and miscellaneous work needed to complete the original scope of the work represent the net time increase recommended within the subject change order.

Time contingency summary:

Beginning Balance:	37 calendar days
Total Amount Used to Date:	37 calendar days
Requested Replenishment:	00 calendar days
Ending Bal. after Change Order:	00 calendar days

	<u>Original Contract Values</u>	<u>Previous Adjustments To Values</u>	<u>This Change Order Values</u>	<u>Current Totals</u>	<u>Total Paid</u>	<u>Balance After Change Order</u>
<b>BASE:</b>	\$3,530,000.00	\$0.00	\$61,132.33	\$3,591,132.33	\$3,522,858.00	\$68,274.33
<b>CONTINGENCY:</b>	\$176,500.00	\$0.00	\$0.00	\$176,500.00	\$160,837.43	\$15,662.57
<b>DEDICATED:</b>	<u>\$82,469.63</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$82,469.63</u>	<u>\$12,777.85</u>	<u>\$69,691.78</u>
<b>TOTALS:</b>	\$3,788,969.63	\$0.00	\$61,132.33	\$3,850,101.96	\$3,696,473.28	\$153,628.68

	<u>Original Contract Duration</u>	<u>Previous Adjustments To Duration</u>	<u>This Change Order Duration</u>	<u>Current Totals</u>
<b>BASE DURATION:</b>	365	0	289	654
<b>CONTINGENCY:</b>	<u>37</u>	<u>0</u>	<u>37</u>	<u>74</u>
<b>TOTAL DURATION:</b>	402	0	326	728

**INITIATING FACTOR(S) FOR CHANGE ORDER**

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
Other Agency Requested Change	\$0.00	0
Design Errors Change	\$0.00	0
Design Omissions Change	\$0.00	0
County Requested Change	\$61,132.33	289
Unforeseen / Unforeseeable Change	\$0.00	0
<u>Other</u>	<u>\$0.00</u>	<u>0</u>
	\$61,132.33	289

**TRACK RECORD  
/ MONITOR**

**PERFORMANCE RECORD:** There are seven (7) performance evaluations in CIIS reflecting that the Contractor has an Overall Performance Average of 3.5 out of 4.

**PRIME CONTRACTOR:** Carivon Construction Company

**COMPANY PRINCIPAL:** Ivonne Munne, President

**COMPANY QUALIFIERS:** Carlos Hernandez

**COMPANY EMAIL ADDRESS:** immune@carivon.com

**COMPANY STREET ADDRESS:** 12171 S.W. 131<sup>st</sup> Ave.

**COMPANY CITY-STATE-ZIP:** Miami, Florida 33186

**YEARS IN  
BUSINESS AT TIME  
OF AWARD:** 17

**PREVIOUS  
CONTRACTS WITH  
COUNTY IN THE  
LAST FIVE YEARS  
AT TIME OF  
AWARD:**

According to the Firm History Report as provided by the Internal Services Department, Carivon Construction Company has received five (5) construction contracts with a dollar value of \$6,713,225.76.

**SUB  
CONTRACTORS  
AND SUPPLIERS  
(SECTION 10-34  
MIAMI DADE  
COUNTY CODE):**

A&A Fonte, Inc., DTC Stairs, Inc., Machi Construction Corp., Century Fire, Inc.

**REVIEW  
COMMITTEE  
ASSIGNED  
CONTRACT  
MEASURES:**

<u>TYPE</u>	<u>GOAL</u>	<u>ESTIMATED VALUE</u>	<u>ACHIEVED</u>
CSBE	20.93%	TBD	28.89%
CWP	12.10%	TBD	TBD (Pending SBD's response)

**CONTRACT  
MANAGER NAME /  
PHONE / EMAIL:**

John Gutierrez (305) 755-7830 Jgx@miamidade.gov

**PROJECT  
MANAGER NAME /  
PHONE / EMAIL:**

Guillermo Peña (305)755-7914 williep@miamidade.gov

**BACKGROUND:**

This contract's Notice to Proceed was dated August 1st, 2012 with duration of three-hundred and sixty-five (365) calendar days. The original contract expiration date was August 1st, 2013.

This change order reflects the negotiated terms of additional time (289 calendar days), and additional scope of work to provide a shade structure system over the pool area for a cost of \$61,132.33.

After the project was designed and permitted and the construction contract was awarded, senior members from the community requested consideration for shading the pool and pool deck areas. To avoid costly and unnecessary demolition and re-construction later, the scope was negotiated, the material purchased, and the installation cost was added to this construction contract.

The project is 100% completed. Submission of this item was delayed due to the review and analysis that staff had to perform on the multiple claims submitted by the contractor, and subsequent negotiations that lead to this mutual accord final change order.

BUDGET APPROVAL  
FUNDS AVAILABLE:

  
OMB DIRECTOR 1/8/15  
DATE

APPROVED AS TO  
LEGAL SUFFICIENCY:

  
COUNTY ATTORNEY 1/12/15  
DATE

  
SENIOR ADVISOR 1/16/15  
OFFICE OF THE MAYOR DATE

CLERK DATE:

\_\_\_\_\_  
DATE



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** March 3, 2015

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 8(H)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(H)(2)  
3-3-15

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NUMBER ONE AND FINAL WITH CARIVON CONSTRUCTION COMPANY FOR A NON-COMPENSABLE TIME EXTENSION OF 289 DAYS AND AN INCREASE TO THE CONTRACT AMOUNT IN THE AMOUNT OF \$61,132.33 FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS FOR CONSTRUCTION OF ARCOLA LAKES PARK – SENIOR CENTER AND POOL - CONTRACT NO: 311106-05-003 GOB ESP; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves Retroactive Change Order Number One and Final to construction Contract No. 311106-05-003 GOB ESP between Carivon Construction Company and Miami-Dade County for Arcola Lakes Park – Senior Center and Pool Project in order to authorize a non-compensable time extension of 289 days to June 23, 2014 and to increase the contract amount by \$61,132.33, in substantially the form attached hereto and made part hereof; and authorizes the County Mayor or County Mayor’s designee to execute same for and on behalf of Miami-Dade County and to exercise the provisions contained therein.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Monica Rizo



**MIAMI-DADE COUNTY, FLORIDA**  
**PARKS, RECREATION AND OPEN SPACES**  
**CHANGE ORDER TO ORIGINAL CONTRACT**



CHANGE ORDER NO: 1

CONTRACT NO: 311106-05-003 GOB ESP

DATE: 12/09/2014

PROJECT TITLE: Arcola Lakes Park - Senior Center and Pool

TO CONTRACTOR: Carivon Construction Company 12171 SW 131 AVE MIAMI FL 33186

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

**Description of work authorized:**

Increase the contract amount by \$61,132.33 from \$3,788,969.63 to \$3,850,101.96; and increase the contract duration by two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23rd, 2014.

**Monetary Justification:**

The Department recommends an increase of \$61,132.33 to the contract amount as follows:

a. Request for Contract Change Order (RCO) No. 13R consisted of the installation of a customized Sail Shade Structure System including (6) columns (due to the sandy nature of the soils additional foundation work was necessary) and (4) canopies to provide a shade over the pool deck's entire surface area. (Continued below)

**Time Justification:**

The Department recommends a retroactive non-compensable time extension of two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23rd, 2014. This time extension (which represents a 79.2% increase) is classified as "concurrent delays" (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

**SUMMARY OF CONTRACT AMOUNT / TIME**

ORIGINAL CONTRACT AMOUNT-----	\$3,788,969.63
COST OF CHANGES PREVIOUSLY ORDERED-----	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$3,788,969.63
COST OF CHANGES WITH THIS DOCUMENT-----	\$61,132.33
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$3,850,101.96
PERCENT INCREASE WITH THIS CHANGE-----	2%
TOTAL PERCENT INCREASE TO DATE-----	2%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	365 / 0 / 289
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	37 / 0 / 37
ADJUSTED DURATION INCLUDING THIS CHANGE-----	728

**CERTIFYING STATEMENT:**

*The Contractor certifies that the changes and supporting cost data included is in its considered opinion necessary and accurate and that the prices quoted are fair and reasonable.*

<u>Organization</u>	<u>Accepted By:</u> <u>Name</u>	<u>Title</u>	<u>Date</u>
<u>Carivon Construction Company</u>		<u>Contractor</u>	<u>12-22-2014</u>
<u>Surety</u> Great American Insurance Company	 Michael A. Bonet, Attorney-In-Fact	<u>Surety</u>	<u>December 19, 2014</u>

<u>Title</u>	<u>Name</u>	<u>Date</u>
Approved By: <u>County Attorney</u> (for legal sufficiency)	_____	_____
Approved By: <u>County Mayor</u>	_____	_____
Attested By: <u>Clerk of the Board</u>	_____	_____

**Time Justification: (Continued)**

(combination of Contractor and Department caused delays occurring at the same time), and is further broken down as follows:

- The first thirty-seven (37) calendar days are utilized from the available time contingency.
- The remaining two-hundred and eighty-nine (289) calendar days of time extension impacting the construction schedule for the design; engineering; soils analysis; permitting; procurement; construction of the Sail Shade Structure System that included foundation work; and miscellaneous work needed to complete the original scope of the work represent the net time increase recommended within the subject change order.

Time contingency summary:

Beginning Balance: 37 calendar days  
 Total Amount Used to Date: 37 calendar days  
 Requested Replenishment: 00 calendar days  
 Ending Bal. after Change Order: 00 calendar days

**Monetary Justification: (Continued)**

The materials were provided by the County, and the installation was done by the Contractor. The installation cost for this system, including the concrete foundations was negotiated at \$61,132.33.

The \$61,132.33 increase to the contract represents a 1.6 % increase to the original contract amount. The Department has reviewed the scope and associated quantities for the additional work and confirms that the amounts being charged are both within the range of industry as reasonable and within the allowable mark-up stated in the contract.

**Time Justification Declaration:**

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

# GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by  
this power of attorney is not more than **ONE**

No. 0 19968

## POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
MICHAEL BONET	OF MIAMI, FLORIDA	\$100,000,000

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **24TH** day of **SEPTEMBER**, 2013.  
Attest **GREAT AMERICAN INSURANCE COMPANY**



Assistant Secretary

Divisional Senior Vice President

DAVID C. KITCHIN (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this **24TH** day of **SEPTEMBER**, 2013, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



**KAREN L. GROSHEIM**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 02-20-16

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

**RESOLVED:** That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

**RESOLVED FURTHER:** That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

## CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this

**19** day of **DECEMBER**, 2014



Assistant Secretary



MIAMI DADE COUNTY  
Department of Small Business Development  
Firm History Report

FIRM NAME: CARIVON CONSTRUCTION CO.

12171 SW 131st Ave  
Miami, FL 33186

From: 06/01/2007 To: 06/01/2012

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
* RPO NO. T1041 RESTORATION REPAIR OF 48-INCH WATER MAIN AT CORAL GABLES WATERWAY (C-3)	1	WS	SET ASIDE CSBE 100%	07/10/2008	\$204,306.76
					<u>\$204,306.76</u>
* 592401-03-001 GOB ESP DEERWOOD BONTA LAKES PARK-MEDIUM ALTERNATE RECREATION CENTER, LIGHTED PARKING LOT (SIC 15)	1	PR	GOAL CSBE 24%	05/07/2009	\$2,145,426.75
					<u>\$2,145,426.75</u>
* W70209 (7360) STOCKADE OUTDOOR COOLER REPLACEMENT (SIC 15)	1	GS	GOAL CSBE 22%	06/05/2009	\$284,016.70
					<u>\$284,016.70</u>
20120021 (23-08/08) JPA BETWEEN MDC AND THE CITY OF MIAMI BEACH SAFETY PROJECT ALONG PINE TREE DRIVE AND LA GORCE DR	1	PW	NO MEASURE	11/04/2011	\$290,505.92
					<u>\$280,505.92</u>
311106-05-003 GOB ESP ARCOLA LAKES PARK - SENIOR CENTER & POOL (SIC 15)	1	PR	GOAL CSBE 20.93%	06/01/2012	\$3,788,969.63
					<u>\$3,788,969.63</u>

\* Indicates closed or expired contracts

Disclaimer: Payments shown may not reflect current information

Monday, February 3, 2014



# MIAMI DADE COUNTY

## Department of Small Business Development

### Firm History Report

FIRM NAME: CARIVON CONSTRUCTION CO.

12171 SW 131st Ave

Miami, FL 33186

From: 06/01/2007 To: 06/01/2012

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
Total Award Amount					\$6,713,225.76
Total Change Orders Approved by BCC					\$0.00
					<u>\$6,713,225.76</u>

13

13

\* Indicates closed or expired contracts

Disclaimer: Payments shown may not reflect current information

Monday, February 3, 2014



**MIAMI DADE COUNTY**

**Department of Small Business Development**

**Firm History Report**

From: 06/01/2007 To: 06/01/2012

**SUBCONTRACTORS**

14

14

\* Indicates closed or expired contracts

Disclaimer: Payments shown may not reflect current information

Monday, February 3, 2014

**Arcola Lakes Park Senior Center and Pool  
P R Project # 311106-05-003 GOB ESP**

**Bid Tabulation**

Latest Approved Cost Estimate Prior To Bidding		Contractor Name					
		Grace & Naeem Uddin, Inc.	Jcon Group	Carivon Construction	J.R.T. Construction	Perez-Gurri dba N&J Construction	TGSV Enterprise, Inc.
Base Est.	\$4,786,162	\$2,956,840	\$3,432,000	\$3,530,000	\$3,578,697	\$3,599,000	\$3,669,000
Bidder variance from Parks base estimate		-38%	-28%	-26%	-25%	-25%	-23%

Latest Approved Cost Estimate Prior To Bidding	Contractor Name					
	Allied Contractors, Inc.	Siltek Group Inc.	Merkury Development	GEC Associates	Recreational Design & Construction	Aarya Construction
Base Est.	\$4,786,162	\$4,129,941	\$4,160,996	\$4,270,000	\$4,348,500	\$4,396,700
Bidder variance from Parks base estimate	-17%	-14%	-13%	-11%	-9%	-8%

**NOTE:**

The Base Bid excludes Contingency and Dedicated Allowances.

The bid submittals have not been reviewed for responsiveness/responsibility.

Bid tabulation reflects the apparent lowest Base Bid up to the highest Base Bid.

Date: 5/3/2012

2012 JUN -1 PM 2: 29

To: Carlos A. Gimenez  
Mayor

CLERK, CIRCUIT & COUNTY CTS  
MIAMI-DADE COUNTY, FLA.  
#1

From: Jack Kardys  
Director  
Parks, Recreation and Open Spaces Department  
GN  
5/4/12

Attn: Lester Sola  
Director  
Internal Services Department

Subject: Contract Award Recommendation for Arcola Lakes Park – Senior Center and Pool -  
Project No: 311106-05-003 GOB ESP; Contract No: 311106-05-003 GOB ESP, to  
**Carivon Construction Company.**

### Recommendation

This Recommendation for Award for Construction Contract number 311106-05-003 GOB ESP between Miami-Dade County and **Carivon Construction Company** in the amount of \$3,788,969.63 has been prepared by the Parks, Recreation and Open Spaces Department and is recommended for approval.

**Delegation of Authority** - The authority of the County Mayor's designee to execute and implement this contract is consistent with those authorities granted under the Code of Miami-Dade County. Additional delegation of authorities requested for this contract are as follows:

There is no additional delegated authority in relation to this project.

### Scope

**PROJECT NAME:** Arcola Lakes Park – Senior Center and Pool

**PROJECT NO:** 311106-05-003 GOB ESP

**CONTRACT NO:** 311106-05-003 GOB ESP

#### **PROJECT**

**DESCRIPTION:** The awarded scope consists of the construction of a one-story Senior Center Building which includes: lobby/reception area, banquet/meeting room, event services & delivery room, entertainment room, arts & crafts room, ceramics room, exercise room, restrooms, locker rooms, staff offices, equipment room, and storage. The project also includes outdoor therapeutic aquatic pool, heated whirl pool, pool deck space, pedestrian circulation, covered car drop-off area, parking lot and landscaping.

**PROJECT  
LOCATION:**

8401 NW 14th Avenue, Miami, Florida 33147



PROJECT SITES:	<u>SITE #</u>	<u>LOCATION 1</u>	<u>DIST</u>	<u>ESTIMATE</u>	<u>T-S-R</u>
	#70158	8401 NW 14 <sup>th</sup> Ave	33147	2	\$3,788,969.63
					53-11-41

**PRIMARY COMMISSION DISTRICT:** District 2      Jean Monestime

**APPROVAL PATH:** Mayor's Authority      Economic Stimulus Plan

**USING DEPARTMENT:** Parks, Recreation and Open Spaces

**MANAGING DEPARTMENT:** Parks, Recreation and Open Spaces

### Fiscal Impact / Funding Source

<b>FUNDING SOURCES:</b>	<u>SOURCE</u>	<u>PROJECT NUM</u>	<u>SITE #</u>	<u>AMOUNT</u>
	GOB Interest	938870	#70158	\$222,250.00
	GOB Series 2011A	938870	#70158	\$933,052.72
	GOB Series Future Financing	938870	#70158	\$2,633,666.91
		Total Funding:		\$3,788,969.63

**OPERATIONS COST IMPACT / FUNDING:** \$506,016 Total Operations Cost Impact (Attachment 1) from General Fund

**MAINTENANCE COST IMPACT / FUNDING:** \$432,484 Total Maintenance Cost Impact (Attachment 1) from General Fund

**LIFE EXPECTANCY OF ASSET:** 3 assets with a life expectancy ranging from 20 years to 40 years. (Attachment 1)

**PTP FUNDING:** No

**GOB FUNDING:** Yes

**ARRA FUNDING:** No

<b>CAPITAL BUDGET PROJECTS:</b>	<b>CAPITAL BUDGET PROJECT # - DESCRIPTION</b>	<u>AWARD ESTIMATE</u>
	938870- ARCOLA LAKES PARK - BUILDING BETTER COMMUNITIES BOND PROGRAM	\$3,788,969.63
	Book Page:138    Funding Year: Adopted Capital Budget Book for FY 11-12, Prior Years' Funds through FY 11-12. (Attachment 2)	

CAPITAL BUDGET PROJECTS TOTAL: \$3,788,969.63

<b>GOB PROJECT:</b>	<b>GOB PROJECT # - DESCRIPTION</b>	<b><u>AWARD</u> <u>ESTIMATE</u></b>
	92 - Unincorporated Municipal Service Area - Arcola Lakes Park	\$3,788,969.63
<b>BID PACKAGES ISSUED:</b>	28	
<b>BIDS RECEIVED:</b>	12	
<b>CONTRACT PERIOD:</b>	365 Days.	Excludes Warranty Administration Period
<b>CONTINGENCY PERIOD:</b>	37 Days.	
<b>IG FEE INCLUDED IN BASE CONTRACT:</b>	Yes	
<b>ART IN PUBLIC PLACES:</b>	Yes	
<b>BASE ESTIMATE:</b>	\$4,786,161.72	Consultant estimate
<b>BASE CONTRACT AMOUNT:</b>	\$3,530,000.00	Submitted by Carivon Construction Company
<b>CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):</b>	<b>TYPE</b>	<b>PERCENT      AMOUNT      COMMENT</b>
	New Construction	5%      \$176,500.00
<b>PERMIT FEES :</b>	\$26,475.00	0.75%      of Base Contract Amount
<b>TOTAL DEDICATED ALLOWANCE:</b>	\$26,475.00	
<b>ART IN PUBLIC PLACES:</b>	\$ 55,994.63	1.5%      of Base, Contingency, and Dedicated Allowance
<b>TOTAL AMOUNT:</b>	\$ 3,788,969.63	

**Track Record / Monitor**

**SBD HISTORY OF VIOLATIONS:** None

**EXPLANATION:** The construction bids were opened on October 17<sup>th</sup>, 2011. The base bids ranged from \$2,956,840 to \$4,396,700 with Grace & Naeem Uddin, Inc (GNU) submitting the apparent lowest base construction amount of \$2,956,840 (See Attachment 3).

Parks, Recreation and open Spaces Department (PROS) project consultant,

Indigo Service Corporation (ISC), estimated the base construction amount at \$4,786,161. ISC reviewed GNU's base construction amount (38% below ISC's estimate) and GNU's Schedule of Values (SOV). This review yielded that several work values were missing and thus, ISC concluded that GNU's bid was deficient and inadequate to complete the work. Therefore, GNU's bid was deemed non-responsible (See Attachment 3).

The second lowest bid price from JCON Group Corp (JCON) provided a base construction amount of \$3,432,000. ISC reviewed JCON's base construction amount (28% below ISC's estimate) and JCON's SOV. This review yielded that several work values were omitted and, therefore, does not provide a high level of confidence in JCON's ability to complete the work for the stated price (See Attachment 3). In addition, PROS conducted a vendor due diligence investigation that revealed the following: 1) A litigation records search in miamidadeclerk.com revealed sixteen (16) cases in which JCON was involved from 2009-2011. Of these sixteen (16) cases, fourteen (14) appear to be construction-related and JCON is named as a Defendant in ten (10) of these. Nine (9) cases are ongoing with filing dates ranging from August/2010 to October/2011. Of the nine (9) ongoing cases, one (1) resulted in a final judgment against the Defendants on October 24, 2011 (JCON was named as one of the Defendants) (See Attachment 4). In contradiction of the nine (9) ongoing cases found, JCON stated on their "Bidders Statement of Qualifications and Business References Form" that there were no pending litigations against their organization at the time of bid submittal (See Attachment 5, pg. 5, question 17). 2) JCON submitted financial statements prepared by an independent accountant that indicates that their financial status had deteriorated from 2009 to 2010. This is the latest account review report submitted by JCON, which shows a significant net loss for the year 2010 (See Attachment 6). 3) JCON is currently involved in two ongoing County projects, MDFRD-T-29 - Fire Station 69 and MDFRD-T-23 - Fire Station 16. A reference check on the current projects revealed that these projects with MDFR are late and liquidated damages are currently being assessed by MDFR (See Attachment 7).

Based upon the results of ISC's review of JCON's SOV and PROS due diligence evaluation which revealed ongoing litigation, changes in financial condition from 2009-2010 and two ongoing County projects currently being assessed liquidated damages. Awarding this Construction Contract to JCON poses an unreasonable risk to the County. Furthermore, in consultation with other County Departments, on other County projects regarding non-responsibility determinations for unsatisfactory past performance, this Recommendation for Award is consistent with decisions made on previous County Construction Contract Awards.

The third lowest base bid price from Carivon Construction Company (CC) provided a base construction amount of \$3,530,000. ISC reviewed CC's base construction amount (26% below ISC's estimate) and CC's SOV. The review determined that CC's bid was not deficient and affords the County *"the highest level of confidence as far completing the work on time and within bid amount."* Considering that the three lowest bids following CC's bid price are clustered and are an average of 24.45% lower than ISC's estimate, PROS concurs with ISC's recommendation to award the project to CC (See Attachment 8).

A current Small Business Development Firm History Report was requested which shows \$2,633,750.21 in contracts awarded to CC over the last five

years. The County's Capital Improvements Information System (CIIS) Database lists four (4) evaluations with an average rating of 3.5 out of 4. A "Vendor Due Diligence Investigation Summary" report revealed nothing out of the ordinary and has also been included for your convenience as well as a copy of the approved Request to Advertise (See Attachment 9).

The Department recommends that the Mayor or Mayor's designee award this project to the lowest responsive/ responsible bidder, Carivon Construction Co., and present the contract award to the Board for ratification at the next available meeting.

**BID OPEN DATE:** 10/17/2011

**BID BOND  
EXPIRES:** 6/21/2012

**BID VALID  
UNTIL:** 6/21/2012

**ESTIMATED  
NOTICE TO  
PROCEED:** 6/18/2012

**PRIME  
CONTRACTOR:** Carivon Construction Company

**COMPANY  
PRINCIPAL:** Ivonne Munne, President

**COMPANY  
QUALIFIERS:** Carlos Hernandez

**COMPANY EMAIL  
ADDRESS:** imunne@carivon.com

**COMPANY  
STREET  
ADDRESS:** 12171 SW 131 AVE

**COMPANY CITY-  
STATE-ZIP:** MIAMI FL 33186

**YEARS IN  
BUSINESS:** 17

**PREVIOUS  
CONTRACTS  
WITH COUNTY IN  
THE LAST FIVE  
YEARS:**

According to the Firm History Report as provided by the Sustainability, Planning & Economic Enhancement Department, the contractor has received three (3) construction contracts with a total dollar value of \$2,633,750.21.

**SUB  
CONTRACTORS  
AND SUPPLIERS  
(SECTION 10-34  
MIAMI DADE  
COUNTY CODE):**

A&A Fonte, Inc., DTC Stairs, Inc., Machi Construction Corp., Century Fire, Inc.

**MINIMUM  
QUALIFICATIONS  
EXCEED LEGAL  
REQUIREMENTS:**

No

**STANDARD  
PAYMENT AND  
PERFORMANCE  
BOND:**

Yes

**REVIEW  
COMMITTEE:**

MEETING DATE: 6/30/2009 SIGNOFF DATE: 7/02/2009  
RESUBMIT DATE: 7/11/2011 RESUBMIT SIGNOFF: 7/13/2011

**APPLICABLE  
WAGES:  
(RESOLUTION  
No. R-54-10)**

Yes

**REVIEW  
COMMITTEE  
ASSIGNED  
CONTRACT  
MEASURES:**

<u>TYPE</u>	<u>GOAL</u>	<u>ESTIMATED VALUE</u>	<u>COMMENT</u>
CSBE	20.93%	\$775,770.45	Applicable (Attachment 9)
CBE	0.00%		Not Applicable
DBE	0.00%		Not Applicable
CWP	12.10%		Applicable (Attachment 9)

**MANDATORY  
CLEARING  
HOUSE:**

Yes

**CONTRACT  
MANAGER NAME**

**/ PHONE / EMAIL:** John Gutierrez      305-755-7830      jgx@miamidade.gov

**PROJECT  
MANAGER NAME**

**/ PHONE / EMAIL:** Ivan Marroquin      (305) 755-7858      IvanM@miamidade.gov

**Background**

**BACKGROUND:** This project is for the construction of a one-story Senior Center Building which includes: lobby/reception area, banquet/meeting room, event services & delivery room, entertainment room, arts & crafts room, ceramics room, exercise room, restrooms, locker rooms, staff offices, equipment room, and storage. The project also includes outdoor therapeutic aquatic pool, heated whirl pool, pool deck space, pedestrian circulation, covered car drop-off area, parking lot and landscaping in compliance with the General Plan.

BUDGET APPROVAL  
FUNDS AVAILABLE:

*Cfr*  
*ref*  
*[Signature]*  
OMB DIRECTOR

5/14/12  
DATE

APPROVED AS TO  
LEGAL SUFFICIENCY:

*[Signature]*  
COUNTY ATTORNEY

5/16/12  
DATE

INTERNAL SERVICES  
CONCURRENCE:

Not Applicable  
ISD DIRECTOR

DATE

*[Signature]*  
LISA MARTINEZ,  
SENIOR ADVISOR  
OFFICE OF THE MAYOR

5/22/12  
DATE

CLERK DATE :

\_\_\_\_\_  
DATE

CLERK OF THE BOARD  
2012 JUN - 1 PM 2:30  
CLERK, CIRCUIT & COUNTY CTS  
MIAMI-DADE COUNTY, FLA.  
#1

ARCOLA LAKES PARK  
SENIOR CENTER BUILDING, POOL AND PARKING LOT  
GOB #92-70158  
PROJECT NUMBER  
31106-05-003  
AWARDED TO  
CARVON CONSTRUCTION COMPANY

CONTRACT AWARD BREAKDOWN	TOTAL DISTRIBUTION	GOB SERIES "A" SITE: 092-70158 INDEX CODE CPA092PR0158 \$ AMOUNT	WO#	GOB SERIES "F" 2010-11 SITE: 092-70158 INDEX CODE CPF092PR1688 \$ AMOUNT	WO #	GOB SERIES "G" 2012-13 SITE: 092-70158 INDEX CODE CPG092PR1688 \$ AMOUNT	WO #	GOB SERIES "H" 2014-15 SITE: 092-70158 INDEX CODE CPI092PR1688 \$ AMOUNT	WO #
BASE CONTRACT	\$ 3,530,000.00	\$ 222,250.00	79145	\$ 639,499.00	84802	\$ 2,375,000.53	84803	\$ 293,250.47	117333
C/O #1	\$ 61,132.33	\$ -		\$ -		\$ -		\$ 61,132.33	127751
PERMIT FEES	\$ 26,475.00	\$ -		\$ 4,930.75	84808	\$ 7,847.10	99535	\$ 13,697.15	117357
CONTINGENCY	\$ 176,500.00	\$ -		\$ -	84804	\$ 176,500.00	84807	\$ -	117338
TOTAL	\$ 3,794,107.33	\$ 222,250.00		\$ 644,429.75		\$ 2,559,347.63		\$ 368,079.95	
PAID ALLOWANCE	\$ 55,994.63	\$ -		\$ 55,994.63	84806	\$ -		\$ -	
TOTAL	\$ 3,850,101.96	\$ 222,250.00		\$ 700,424.38		\$ 2,559,347.63		\$ 368,079.95	

*Michael W. Ruiz*  
"FOR M. RUIZ"  
Chief, Budget & Financial Management Division

Date 2014/12/23



# Miami-Dade Parks Department

## Work Order by Index & Location(CI Index)

Work Order Number: 79145, 84802, 84808, 84803, 99535, 84807, 117333, 127751, 117357

Date Run: 12/1/2014 4:16:37 PM

<u>Index</u>	<u>Fund</u>	<u>Location District</u>	<u>Work Order Class</u>	<u>WO Type</u> <u>WO Status</u>	<u>MRC Trade</u>	<u>Project</u> <u>GOB Project Site</u>	<u>Description</u>	<u>Budget</u>	<u>Expenses</u>	<u>Balance</u>	<u>End Date</u> <u>Index Type</u>
CPA092PR0158	GOB-05	ARCOLA LAKES PARK 02	79145 HARD	Capital Cap Restricted	CAP-PROG CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	\$222,250.00	\$222,163.00	\$87.00	ALL
<b>Totals WOs for Location</b> ARCOLA LAKES PARK								<u>Budget</u>	<u>Expenses</u>	<u>Balance</u>	
								\$222,250.00	\$222,163.00	\$87.00	
<b>Totals WOs for Index</b> CPA092PR0158								<u>Budget</u>	<u>Expenses</u>	<u>Balance</u>	
								\$222,250.00	\$222,163.00	\$87.00	
CPF092PR1688	GOB-10	ARCOLA LAKES PARK 02	84802 HARD	Capital Completed	CAP-PROG CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	\$639,499.00	\$639,499.00	\$0.00	6/4/13 ALL
CPG092PR1688	GOB-10	ARCOLA LAKES PARK 02	84808 HARD	Capital Completed	PROJ-MGMT DESIGN-MGT	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR PERMIT FEES (CARIVON)	\$4,930.75	\$4,930.75	\$0.00	3/31/13 ALL
<b>Totals WOs for Location</b> ARCOLA LAKES PARK								<u>Budget</u>	<u>Expenses</u>	<u>Balance</u>	
								\$644,429.75	\$644,429.75	\$0.00	
<b>Totals WOs for Index</b> CPF092PR1688								<u>Budget</u>	<u>Expenses</u>	<u>Balance</u>	
								\$644,429.75	\$644,429.75	\$0.00	

# Miami-Dade Parks Department

## Work Order by Index & Location (CI Index)

Date Run: 12/1/2014 4:16:37 PM

<u>Index</u>	<u>Fund</u>	<u>Location District</u>	<u>Work Order Class</u>	<u>WO Type</u> <u>WO Status</u>	<u>MRC Trade</u>	<u>Project</u> <u>GOB Project Site</u>	<u>Description</u>	<u>Budget</u>	<u>Expenses</u>	<u>Balance</u>	<u>End Date</u> <u>Index Type</u>
CPG092PR1688	GOB-13	ARCOLA LAKES PARK 02	84803 HARD	Capital Completed	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	\$2,375,000.53	\$2,375,000.53	\$0.00	2/13/14 ALL
GOB-13	ARCOLA LAKES PARK 02	84807 HARD	Capital Completed	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR CONTINGENCY/PARTIAL (CARIVON)		\$176,500.00	\$176,500.00	\$0.00	2/10/14 ALL
GOB-13	ARCOLA LAKES PARK 02	99535 HARD	Capital Completed	PROJ-MGMT DESIGN-MGT	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR PERMIT FEES (CARIVON)/PARTIAL		\$7,847.10	\$7,847.10	\$0.00	11/20/13 ALL
<b>Totals WOs for Location ARCOLA LAKES PARK</b>								<b>\$2,559,347.63</b>	<b>\$2,559,347.63</b>	<b>\$0.00</b>	
<b>Totals WOs for Index CPG092PR1688</b>								<b>\$2,559,347.63</b>	<b>\$2,559,347.63</b>	<b>\$0.00</b>	
CP1092PR1688	GOB-14	ARCOLA LAKES PARK 02	117333 HARD	Capital Cap Restricted	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	\$293,250.47	\$286,007.31	\$7,243.16	ALL
GOB-14	ARCOLA LAKES PARK 02	117357 HARD	Capital Cap Restricted	PROJ-MGMT DESIGN-MGT	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR PERMIT FEES (CARIVON)/PARTIAL		\$13,697.15	\$1,107.20	\$12,589.95	ALL
GOB-14	ARCOLA LAKES PARK 02	127751 HARD	Capital Cap Restricted	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE C/O #11 (CARIVON)		\$61,132.33	\$0.00	\$61,132.33	ALL

# Miami-Dade Parks Department

## Work Order by Index & Location(CI Index)

Date Run: 12/1/2014 4:16:37 PM

<u>Index</u>	<u>Fund</u>	<u>Location</u> <u>District</u>	<u>Work Order</u> <u>Class</u>	<u>WO Type</u> <u>WO Status</u>	<u>MRC</u> <u>Trade</u>	<u>Project</u> <u>GOB Project Site</u>	<u>Description</u>	<u>Budget</u>	<u>Expenses</u>	<u>Balance</u>	<u>End Date</u> <u>Index Type</u>
CP1092PR1688				3				\$368,079.95	\$287,114.51	\$80,965.44	
Totals WOs for Location ARCOLA LAKES PARK								\$368,079.95	\$287,114.51	\$80,965.44	
Totals WOs for Index CP1092PR1688								\$3,794,107.33	\$3,713,054.89	\$81,052.44	
Grand Total :											

27